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The Mayor asked if there were any further discussion. There being none. Councilman Don Bird MOVED to adjourn and Councilman Max Bennett SECONDED. The meeting adjourned by an overwhelming unanimous vote at 11:46 p.m.


Grant S. Nielson, Mayor


Dorothy Jeffery, City Recorder

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD APRIL 12, 1982

PRESENT:

Grant S. Nielson
Vance Bishop
Don Bird
Max Bennett
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor
City Administrator
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT:
None

OTHERS PRESENT:

Warren Peterson
Neil Forster
Ray Valdez
John Quick
Dorothy Jeffery
Pat Davies

City Attorney
City Superintendent
City Building Inspector
City Engineer
City Recorder
City Clerk

Jim Robson
Gayle Bunker

John Wiser
Roger Stowell

Mayor Nielson, being present, called the meeting to order at 7:00 p.m.
Dorothy, being present, acted as secretary.

The Mayor stated the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Gazette, the Millard County County Chronicle and the local radio station KNAK, and to each member of the governing body by hand delivery of the Notice and Agenda two (2) days before to each of them.

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MINUTES

Minutes of a Regular City Council Meeting held April 05, 1982 were reviewed and corrected. Council Member Don Bird MOVED to accept the minutes as corrected. Council Member Willis Morrison SECONDED the motion which carried unanimously.

ACCOUNTS PAYABLE

After reviewing the accounts payable, Council Member Don Dafoe MOVED to pay the accounts as presented. Council Member Ruth Hansen SECONDED the motion. The motion carried unanimously.

RESIDENCY REQUIREMENTS

City Administrator, Vance Bishop presented Ordinance #82-39 and the changes to the Council. Mr Bishop stated that the Chief of Police felt that it would be more beneficial to set a mileage limitation for police officers rather than just a response time limitation. Firemen are included but the ordinance does not apply to volunteer firemen. There were questions on the building inspector position and whether that should be included with those required to live in the city limits. Those required to live in the City limits have 180 days to move inside the area. The following corrections were suggested and inserted:

1. That "BE IT ORDAINED BY THE CITY COUNCIL OF DELTA CITY" be added.
2. To Section 2: Any employee failing to comply shall be subject to dismissal.
3. To Section 1: (Except volunteers) after Firemen.
4. Ordinance to become effective upon publication.

Council Member Ruth Hansen MOVED to adopt Ordinance #82-39 entitled:

AN ORDINANCE ESTABLISHING CERTAIN RESIDENCY REQUIREMENTS FOR CITY EMPLOYEES: INCORPORATING SAID REQUIREMENTS IN THE DELTA CITY PERSONNEL MANUAL AS SECTION 5; REPEALING SECTION 5 OF THE DELTA CITY PERSONNEL MANUAL AS WRITTEN: ESTABLISHING A TIME LIMIT FOR COMPLIANCE: AND SETTING AN EFFECTIVE DATE.

The motion was SECONDED by Councilman Max Bennett. The Mayor then called for a vote. The voting was as follows:

Max Bennett	Aye
Don Bird	Aye
Don Dafoe	Aye
Ruth Hansen	Aye
Willis Morrison	Aye

The voting was unanimous.

WATER AND SEWER RATES

Vance Bishop had prepared three (3) optional fee schedules for the City Council to consider. He said that number one was the same as presented previously, with

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the minor changes suggested by Council Members. These were changes in the water fee structure. The second option is based on actual usage rather than meter size. He pointed out that on a smaller meter the City would be losing money on duplexes and 4-plexes on connection fees. There was discussion on connection fees, the impact of a mobile home versus a single family unit, lot size requirements in relation to water usage, usage in motels and hotels and travel trailers. John Wisner asked how town houses and apartments are treated in the resolution. Mr. Bishop stated that in the proposed condominium ordinance each unit can have an individual connection which is charged on the single family dwelling rate or the unit can be master metered and the home owners association takes responsibility and they are charged on a multiple family unit rate. After thorough discussion and some modifications, Councilman Bird MOVED to adopt the 2nd option, Resolution #82-63 with the suggested changes inserted:

A RESOLUTION REVISING THE RATES FOR CONNECTION TO AND SERVICE CHARGES
FOR USE OF THE CITY OF DELTA MUNICIPAL WATER AND SEWER SYSTEMS.

Councilman Willis Morrison SECONDED the motion and the Mayor then called the roll for a vote:

Max Bennett	Aye
Don Bird	Aye
Don Dafoe	Yea
Ruth Hansen	Aye
Willis Morrison	Aye

The resolution was adopted unanimously.

BUNKER HILLS ANNEXATION

City Attorney Warren Peterson stated to the council that this resolution was basically the same as last week, except that changes suggested by the Council Members had been incorporated. The parks and recreation dedication requirements have been modified to say that the petitioners must submit a proposal so that they can show specifically what they plan to do. Also inserted was the requirement to fence the Melville Irrigation Co. canal. Mr. Peterson mentioned that in the recitals in paragraph B, page 1 there was a clarification, inserted at the request of Council Members, to the effect that the resolution is to give the petitioners an affirmative indication from the Council so that they (th petitioners) can then go out and incur the expense of doing the things required to meet conditions set out in this resolution. He said that the passage of this resolution required a majority vote of the Council Members, but the final annexation ordinance requires a two thirds vote, or four out of five members to pass. He said that he wanted to make it clear that this resolution was preliminary approval only, if passed. There was discussion on the motocross track and Mr. Bunker stated that it would remain as it is until it became a problem with their development. Mr. Bunker also said that fencing the canal was no problem to them. Mr. Peterson said that fencing of canals was the responsibility of the land developers in all parts of the City. There was some discussion on the protion of the Quin Shepherd property not included in the annexation proposal. Council Member Max Bennett MOVED to adopt Resolution #82-65 entitled:

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A RESOLUTION GIVING PRELIMINARY APPROVAL AND ACCEPTANCE TO THE PETITION OF GAYLE BUNKER, ROBERT HARRIS AND OTHERS FOR ANNEXATION OF PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF DELTA, UTAH AND SETTING CONDITIONS FOR FINAL APPROVAL OF ANNEXATION.

Councilman Morrison SECONDED the motion. There was further discussion and comments on the fact that it takes three votes to pass the resolution, but it takes four to pass the annexation ordinance and that there is quite a bit of expense involved. It was mentioned by Mr. Bishop that if two out of the five council members voted against the resolution, it would be difficult to get an annexation ordinance passed. The Mayor then called for a roll call. The voting was as follows:

Max Bennett	Aye
Don Bird	Nay
Don Dafoe	Aye
Ruth Hansen	Nay
Willis Morrison	Aye

WATER AND SEWER CONSTRUCTION CONTRACTS WITH IPA

City Council Members, Mayor Nielson, Roger Stowell, the City Attorney and the City Administrator discussed Impact Alleviation Agreement #14 extensively. The agreement provides for IPA funding a portion of the Sewer Improvement Project. The changes discussed last week have been incorporated into the contract. Some of the points were:

1. Cost over-run
2. Cost paid by Delta City
3. Cost paid by IPA

Councilman Morrison MOVED to adopt the Resolution #82-64 entitled:

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DELTA, UTAH GIVING APPROVAL TO IMPACT ALLEVIATION AGREEMENT NO 14 BETWEEN INTERMOUNTAIN POWER AGENCY AND CITY OF DELTA FOR PARTIAL FUNDING OF IMPROVEMENTS TO THE DELTA CITY CENTRAL WASTEWATER COLLECTION SYSTEM.

Councilman Bennett SECONDED the motion and a roll call vote was as follows:

Max Bennett	Aye
Don Bird	Aye
Don Dafoe	Aye
Ruth Hansen	Aye
Willis Morrison	Aye

Mayor Nielson signed the resolution and Dorothy Jeffery, City Recorder, attested his signature.

The Impact Alleviation Agreement #15 regarding the Intermountain Power Agency participation in funding the water system improvements was discussed by the Council.

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It was agreed that a representative from IPA would go to the BOWR to try to get the agreement written as originally agreed upon by the city and BOWR. Signing of the contract was deferred until a more equitable agreement was investigated. Councilman Willis Morrison MOVED to table the action on Impact Alleviation Agreement # 15. Councilman Max Bennett SECONDED the motion which carried unanimously.

PHASE I - SEWER CONSTRUCTION

Vance Bishop stated that authorization was needed from the Council to award the sewer construction bid. He said that the preconstruction conference had been held and it was time to proceed. Council Member Ruth Hansen MOVED to authorize the Mayor to sign the contract with Hurricane Sand and Gravel. Councilman Don Bird SECONDED the motion. There was no further discussion and the motion carried unanimously.

PARKS AND RECREATION

Mayor Nielson and Vance Bishop reported to the Council that Carl Hassel said that IPA will build a regional park on their properties. He said that the City would have to contribute toward the park. They discussed possible county participation on a regional park. Councilman Max Bennett MOVED that the Mayor, Vance Bishop, Roger Stowell, Carl Hasse and Don Dafoe meet together and develop a plan for a regional park and to clarify the park proposal for the Council. Councilman Bird SECONDED the motion and it carried unanimously. The meeting was scheduled for Thursday, April 15, at 9:00 a.m.

OTHER BUSINESS

Councilman Bennett asked what the City policy will be on building at the airport. He stated that Todd Wirthlin thought the location where Mr. Burraston wanted to build is acceptable, but there are questions on who would own the building when the lease agreement ends. The council suggested that Councilman Bennett meet with Mr. Wirthlin on Wednesday to discuss this subject and others concerning the airport.

Council Member Ruth Hansen suggested that open burning could be allowed without obtaining a permit during the week of the Delta City clean-up. She stated that Fire Chief Ashby was in favor of this. She further suggested that City Officials and employees clean up their yards to set an example for the citizens.

Public Works Superintendent Neil Forster stated that the city crews would be picking up trash on April 17, 21 and 24 and that the trash should be left in the alleys or at the street side.

Mr. Peterson discussed safety violation at the B Kitten Klean RV Park and Chad Peatross mobile home park. He stated that the propane distributors are willing to work with the City, but they will not do anything about moving the tanks until they have to. There was discussion about there being no room for fire vehicle approach, trailers too close and general non-compliance with the State and City safety codes. Fire Chief Ashby is authorized to enforce the ordinance and issue citations. It was decided that a list of violations would be presented to each

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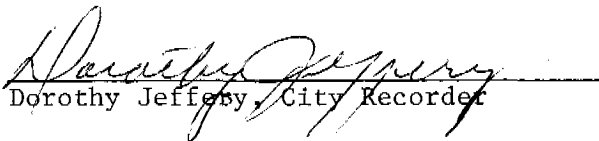
owner so they could have a chance to correct the problems.

John Quick presented some easements for Phase II of the sewer construction. He also submitted a storm drain water plan. Problems in the city drain system and the need for funds were discussed. Councilman Don Dafoe MOVED to submit the storm drain water plan to IPA along with a letter requesting funds to help with the project. Councilman Morrison SECONDED the motion. The motion carried unanimously.

The Mayor asked the city council to authorize the purchase of 40 pounds of ground beef for the lunch to be served to the workers on clean-up day. It was agreed that would be a worthwhile cause.

Mayor Nielson asked if there was any further business, there being none, Councilman Bird MOVED the meeting be adjourned, the motion was SECONDED by Council Member Ruth Hansen. Meeting adjourned at 11:25 p.m.


Mayor Grant S Nielson


Dorothy Jeffery, City Recorder

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD APRIL 19, 1982

PRESENT:

Grant S Nielson	Mayor
Vance Bishop	City Administrator
Don Bird	Council Member
Don Dafoe	Council Member
Ruth Hansen	Council Member
Willis Morrison	Council Member

ABSENT:

Max Bennett	Council Member
Neil Forster	Public Works Foreman
Ray Valdez	City Building Inspector

OTHERS PRESENT:

Warren Peterson	City Attorney
John Quick	City Engineer
Dorothy Jeffery	City Recorder
Bruce Watts	Bruco Enterprises, Incorporated
Roger Stowell	IPP
Mr. and Mrs. John Wiser	City Residents

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